

Frankfort Architectural Review Board

April 19, 2005

Members Present: Andrew Casebier
Dwayne Cook
John Downs
Roger Stapleton (4)

Members Absent: Joe Johnson (1)

There being a quorum, the meeting proceeded and was called to order by Chairman Stapleton.

A motion was made by Mr. Casebier to approve the minutes of the meeting of March 15, 2005. The motion was seconded by Mr. Downs and carried unanimously 4-0.

The first item of business was in accordance with Articles 4 and 17 of the City of Frankfort Planning Zoning Code, Craig Aossey is requesting a "Certificate of Appropriateness" to construct a 1,656 square foot addition to the principle structure and a setback determination at 710 Shelby Street. Mr. Robert Hewitt, Senior Planner, was present and stated that before beginning the view of this case, the applicant had submitted a project description that failed to be included in the staff report. Mr. Hewitt distributed copies to the Board and gave them an opportunity to briefly review the submittal. Mr. Hewitt stated the subject property is located on the westside of Shelby Street directly across from the capital in Special Capital zoning district. The proposed addition would be constructed in the rear yard and would not appear to alter any significant landscape elements or features. A breezeway would connect the two structures and the applicant is proposing a six-foot setback for the addition. Mr. Hewitt would like the Board to review and consider a certificate of appropriateness for the construction of the addition as well as a setback determination. Mr. Hewitt stated staff did make a recommendation of approval however in the summary of the criteria in Article 4, there are several bullet points that the applicant needs to address more specifically and/or need to submit relating to the setback. The additional information from Article 4 pertains to (B) and (C).

Mr. Craig Aossey, the property owner of the premises located at 710 Shelby Street was present and discussed materials and answered questions from the Board. There was no one in audience to speak in favor or in opposition.

Mr. Casebier stated that the addition although it seems large, it does help bring this house more into compliance with the massing of the property. He would like to have the applicant be required to bring to staff the type of material to be used for the garage door to verify that it's appropriate for the area. He further stated he would like for the applicant to pursue cast stone for the foundation.

A motion was made by Mr. Casebier to issue a certificate of appropriateness for setback of six feet from the side as indicated on the application and the setbacks from Shelby Street and Shaw Lane would be submitted to staff if found to be with in the guidelines of the ordinance that would be acceptable too. Mr. Cook seconded the motion. The vote passed 3-1 with Mr. Downs voting against.

A motion was made by Mr. Casebier to issue a certificate of appropriateness for the application as submitted with the details indicated in the staff report and in the testimony from the applicant as far as the questions being answered. As part of that motion, I require that if the applicant doesn't use cast stone for the water table he would need to go back to staff to negotiate

a material that is appropriate for the building and whether it needs to come back before the Board and the material for the garage door be submitted to staff for appropriateness and subject to use a color to downplay as much as you can. Mr. Downs seconded the motion. The motion passed 3-1 with Mr. Downs voting against.

The second item of business in accordance with Articles 4 and 19 of the City of Frankfort Zoning Code, Cox and Cox LLC, is requesting a "Conditional Use Permit" to operate a professional office in the principle structure located at 612 A Shelby Street, zoned Special Capital. Mr. Hewitt presented his staff report saying this suite is currently occupied by the Herald-Leader. He said last month 612 B Shelby Street came before the Board there was a change of use there. Based on that analysis and background research, we discovered the ownership had changed names, therefore we required this to come before the Board so the use is existing and will remain just the name of ownership has changed. There will no change to the exterior of the property, a waiver was granted for off-street parking requirements, no signage is proposed at this time. The staff recommends approval with the three conditions listed on page 5 of the staff Report. The applicants, Neil Cox and Mary Nash Cox owned the property as Cox and Cox LLC stated it was simply a change of name. There was no one in audience to speak in favor or in opposition.

A motion was made by Mr. Cook to approve a request for a Conditional Use permit to operate a professional office in the principle structure located at 612 A Shelby Street with the following three conditions:

1. The conditional use permit is permitted only at 612 A Shelby Street.
2. The conditional use permit is granted only to Lexington Herald-Leader.
3. The conditional use is not transferable and any change in ownership, lessee, or type of business will make this approval null and void.

The motion was seconded by Mr. Downs and carried unanimously 4-0.

The last item of business in accordance with Articles 4 and 17 of the City of Frankfort Zoning Code, Shirley Blackwell is requesting a "Certificate of Appropriateness" to construct vinyl fence on the property located 747 Woodland Avenue, zoned Special Capital. Mr. Downs stated he would like to recuse himself from participating in discussion or voting on this particular item on the agenda. Mr. Hewitt was present and gave his staff report. He started by saying the request before the Board for a certificate of appropriateness for material type and front yard setback determination. In February 2005, a vinyl fence had been installed without a valid building permit or a certificate of appropriateness from the Board. Once notified, the applicant for applied for both. Mr. Hewitt said the applicant's property fronts both on Woodland Avenue and Shaw Lane. The City Zoning Ordinance defines this property as having two front yards, both of which is visible from the public right-of-way. Additionally, staff is seeking a determination from the Board concerning the location of the front yard along Shaw Lane and the placement of a 6-feet in height. Staff analyzed the setback of a variety of structures and fences along Shaw Lane and came up with an average setback of 8.69'. Based on our analysis, the staff recommends denial on the vinyl fence material within the front yard along Shaw Lane.

Ms. Shirley Blackwell, owner of the property located at 747 Woodland Avenue for forty (40) years stated she installed the fence to block the view of the property located next to her at 743 Woodland Avenue. She submitted photos as evidence of that property located behind the fence covered with trash, debris and junk. Karen Blackwell was present and stated she lives at 747 Woodland Avenue. Ms. Blackwell further stated 743 Woodland Avenue was vacant and the debris had been there for about 2 years.

Mr. Casebier stated with vinyl fencing it looks good when it's first installed but after a few years of being exposed to ultra-violet rays and sunlight it becomes brittle and becomes more of a maintenance issue than a wood fence. There was no one in the audience to speak in favor or in opposition.

Discussion of the material of the fence, the height of the fence, the last panel to remain or be removed and the property at 743 Woodland Avenue volleyed.

Mr. Cook was informed the deadline for the property located at 743 Woodland Avenue to come into compliance was April 22, 2005.

Mr. Casebier made a motion to table this case for a period of ninety (90) days. The motion was seconded by Mr. Cook and carried 3-0.

Mr. Logan stated a petition of Review was filed by Harrod's Brothers Funeral Home in regards to the request for the demolition of the Carriage House. The Board was named as a party in that and Mr. Logan filed a response for the Board as well as each of the members.

Mr. Hewitt presented to the Board, photos of the property of 206 East Todd Street and owned by the Gayhart's.

A motion was made by Mr. Cook to adjourn. The motion was seconded by Mr. Casebier and carried unanimously 4-0.

Chairman

Edith Doe
Recording Secretary